

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST : FINAL DECISION AND ORDER  
:  
CHRISTOPHER J. SUICK, : LS0905203APP  
RESPONDENT. :

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Division of Enforcement Case File # 08 APP 029

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Christopher J. Suick  
4353 Oak Park Road  
Deerfield, WI 53531

Real Estate Appraisers Board  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708 8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of the matter, subject to the approval of the Real Estate Appraisers Board (Board). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Christopher J. Suick (Suick), whose last known address of record with the Department of Regulation and Licensing (Department) is 4353 Oak Park Road, Deerfield, WI 53531, and whose date of birth is January 17, 1977, possesses a certificate of licensure as a licensed appraiser (#4-1980). The certificate was first granted on August 14, 2006, and will expire on December 15, 2009.

2. On December 20, 2007, Mr. Suick conducted an appraisal of real property located at 7476 Forest Hill Drive, Saint Germain, WI (First Report). The First Report was selected at random for review as part of Mr. Suick's application for certification and licensure as a certified residential appraiser. Subsequently, Mr. Suick amended the report at his own initiative (Second Report), due to errors that he found in his original report.

3. A review of the appraisal reports shows violations of the applicable Uniform Standards of Professional Appraisal Practice (USPAP) including, but not limited to, the following:

a. USPAP Standards Rule 1-1 (a), which requires an appraiser to, "...correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal," by producing reports in which the adjusted values of the comparable sales selected diverged from a common value after adjustments, rather than converging, which demonstrates that adjustments made were not supportable, and which also constitutes a violation of USPAP Standards Rule 1-4(a); and

b. USPAP Standards Rule 1-1 (b), which requires appraisers to, "not commit a substantial error of omission or commission that significantly affects an appraisal," by failing to change the adjustment for water frontage feet in the Second Report for comparable sale #1 after changing the amount of frontage feet reported for the same comparable sale in the First Report; making an adjustment for condition in favor of the subject over comparable sale #1 without adequate support; and inaccurately reporting the amount of finished above-grade gross living area for comparable sale #3 in the First Report.

4. Likewise, Mr. Suick amended a different report to change the reported site sizes for the subject and all comparables sales used, as well as the adjustments.

5. Per Wis. Stat. § 458.26 (3), "... the board may limit, suspend or revoke any certificate under this chapter... if the... board finds that the... holder of the certificate has done any of the following: (b) Engaged in unprofessional... conduct in violation of rules promulgated under s. 458.24."

6. Per Wis. Admin. Code § RL 86.01 (2), "All appraisals performed in conjunction with federally related transactions and non-federally related transactions shall conform to the uniform standards of professional appraisal practice set forth in Appendix I."

7. By signing the stipulation attached to this Order, Christopher J. Suick withdraws his request for a hearing in case number 08 APP 051.

### CONCLUSIONS OF LAW

1. The Wisconsin Real Estate Appraisers Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 458.26.

2. The Wisconsin Real Estate Appraisers Board has authority to enter into this stipulated resolution of this matter pursuant to Wis. Stat. § 227.44 (5).

3. By performing appraisals and rendering an appraisal report that does not conform to the Uniform Standards of Professional Appraisal Practice, as set forth more fully above in paragraph 3 of the Findings of Fact, **Christopher J. Suick** has violated Wis. Admin. Code § RL 86.01 (2), thereby subjecting herself to discipline per Wis. Stat. § 458.26 (3) (b).

### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The license of Christopher J. Suick (license # 4-1980), shall be, and hereby is, REPRIMANDED.

IT IS FURTHER ORDERED that:

2. Christopher J. Suick shall successfully complete no less than thirty-seven (37) hours of remedial education from the following list of courses: (a) Basic Appraisal Procedures (30 hrs., including 2 hr. exam); (b) Residential Sales Comparison and Income Approaches (30 hrs., including 2 hr. exam); (c) Residential Report Writing and Case Studies (15 hrs., including 2 hr. exam); (d) Advanced Residential Applications and Case Studies/Part 1 (15 hrs., including 2 hr. exam); (e) Liability Management for Residential Appraisers (7 hrs); (f) Quality Assurance in Residential Appraisals: Risky Appraisals = Risky Loans (7 hrs) or (g) Effective Appraisal Writing (7 hrs). Courses completed in compliance with this Order may not be counted towards Respondent's continuing education requirements. Courses completed after November 19, 2008, may be counted towards fulfillment of this Order, so long as they are not also claimed for continuing education credit. Successful completion of any course shall include receipt of a passing score on any examination. Proof of completion of all courses must be submitted to the Department Monitor by June 15, 2010. Substitute courses shall only be allowed if approved in advance by the Board's Monitoring Liaison.

3. Christopher J. Suick shall pay costs of investigating this matter, in the amount of SEVEN HUNDRED DOLLARS (\$700.00) by no later than one year from the date of signing of this Order.

4. All submissions required by this Order shall be mailed, faxed, delivered or otherwise transmitted to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935, Madison, WI 53708-8935  
Telephone (608) 267-3817 Fax (608) 266-2264

5. Case number 08APP 029 is hereby closed.

6. This Order is effective on the date of its signing.

REAL ESTATE APPRAISERS BOARD

By: Marla Britton  
A Member of the Board

5/20/09  
Date

STATE OF WISCONSIN  
BEFORE THE REAL ESTATE APPRAISERS BOARD

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IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
	:	
CHRISTOPHER J. SUICK,	:	LS _____
RESPONDENT.	:	

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Division of Enforcement Case File # 08 APP 029

It is hereby stipulated and agreed, by and between Christopher Suick, Respondent; and Mark A. Herman, Attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation resolves a pending investigation against Respondent’s licensure by the Division of Enforcement (08 APP 029). Respondent consents to the resolution of this matter without the issuance of a formal compliant.
  2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
  3. Respondent has been provided with the opportunity to obtain legal counsel prior to signing this Stipulation.
  4. Respondent agrees to the adoption of the attached Final Decision and Order by the Real Estate Appraisers Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board’s order, if adopted in the form as attached.
  5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
  6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Real Estate Appraisers Board ever assigned as an advisor in this investigation may appear before the Board, without the presence of Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any person may have in connection with the Board’s deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.
  7. Respondent is informed that should the Board adopt this Stipulation, the Board’s final decision and order is a public record and will be published in accordance with standard Department procedure.
  8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.
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Christopher J. Suick, Respondent  
4353 Oak Park Road  
Deerfield, WI 53531

Date

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Mark A. Herman, Attorney  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

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Date